



**Circular No 5 of 2023**

**Date: 06<sup>th</sup> July 2023**

**Submission of the Report under section 8 of the Financial Consumer Protection Act**

This circular applies to all financial service providers provided for under Part B of the Schedule of the Financial Consumer Protection Act (“FCPA”) being:

- A licensee under the Mutual Fund and Hedge Fund Act.
- A licensee under the Hire Purchase and Credit Sales Act.
- A licensee under the Securities Act.
- A licensee under the Insurance Act.

The Financial Services Authority (“FSA”) makes reference to Circular No 12 of 2022 with regards to the guidelines for the submission of the report to be submitted to the Authority under section 8 of the FCPA, containing all the policies adopted by the financial services provider with respect to financial consumer protection. The report for the first half of the year shall be submitted by 15<sup>th</sup> July of each year and that for the second half of the year shall be submitted the by 15<sup>th</sup> January of the succeeding year.

The Act provides that a financial services provider which fails to submit a report with the prescribed timeframes shall be liable to an administrative penalty not exceeding SCR10,000 and an additional penalty of SCR1,000 for each day or part thereof during which the contravention continues.

In consideration that the guidelines to the report is yet to be finalized and the short time-frame relative to the due date, the FSA shall be exempting all financial services providers listed above from the obligation to submit a report due on the 15<sup>th</sup> July 2023. Therefore, any financial service providers who fails to report by 15<sup>th</sup> July 2023 will **NOT** incur the penalty provided under the FCPA. However, any financial service provider who has prepared and wishes to submit its report may do so by 15<sup>th</sup> July 2023.

Notwithstanding the above please note all financial service providers will be required to submit the report due on the 15<sup>th</sup> January, 2024.

**FINANCIAL SERVICES AUTHORITY**